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March 29, 2024

## BY CM/ECF

The Honorable Lewis J. Liman  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

The Honorable Cathy Seibel  
United States District Court  
Southern District of New York  
300 Quarropas St.  
White Plains, New York 10601

*Re: Chan v. U.S. Dep't of Transp.*, No. 23 Civ. 10365 (LJL) (“*Chan*”); *Mulgrew v. U.S. Dep't of Transp.*, No. 24 Civ. 1644 (LJL) (“*Mulgrew*”); *New Yorkers Against Congestion Pricing Tax v. U.S. Dep't of Transp.*, No. 24 Civ. 367 (LJL) (“*New Yorkers*”); *County of Rockland v. Triborough Bridge & Tunnel Auth.*, No. 24 Civ. 02285 (CS) (“*Rockland*”).

Dear Judges Liman and Seibel:

We write on behalf of Defendants the Metropolitan Transportation Authority and the Triborough Bridge and Tunnel Authority in response to the County of Rockland and Edwin J. Day’s letter dated March 29, 2024. *Rockland*, ECF 6.

Plaintiffs are correct that not every aspect of these four cases overlap, nor are they identical. But despite Plaintiffs’ arguments, there can be no dispute that all four cases concern the legality of New York’s landmark congestion pricing program (the “Project”) on statutory and/or constitutional grounds. Resolving each of these cases, and any others that may be filed in the lead-up to the Project going into effect, will require knowledge of the details of the Project and its complicated legal framework. It therefore makes no sense as a matter of judicial economy to have multiple judges engaged in that exercise, as Judge Marutollo recognized in transferring *Mulgrew* from the Eastern District of New York to this District (and the *Mulgrew* plaintiffs themselves recognized in consenting to that transfer). *Mulgrew*, ECF 39, 40, 41.

We respectfully request that the *Rockland* case be assigned to Judge Liman.

Respectfully submitted,



Roberta A. Kaplan